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NSB KINGS BAY  
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LETTER REGARDING THE SUBMITTAL OF CORRECTIVE ACTION CONSENT ORDER  
BETWEEN GEORGIA DEPARTMENT OF NATURAL RESOURCES AND U S NAVY  
CONCERNING THE REMEDIATION OF CONTAMINATED GROUNDWATER NSB KINGS BAY  
GA  
10/21/1993  
GEORGIA DEPARTMENT OF NATURAL RESOURCES

0067 1136  
Georgia Department of Natural Resources

205 Butler Street, S.E., Suite 1252, Atlanta, Georgia 30334  
Joe D. Tanner, Commissioner  
Harold F. Reheis, Director  
Environmental Protection Division

October 21, 1993

31547.000  
09.01.00.0036

M.W. O'Neal  
Captain, U.S. Navy  
Commanding Officer  
Naval Submarine Base  
Kings Bay, Georgia 31547-5000

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

RE: Corrective Action Consent Order  
Site 11 - Old Camden County Landfill

Dear Captain O'Neal:

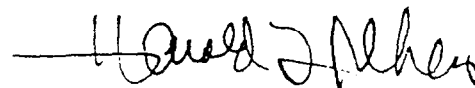
Enclosed please find the proposed Corrective Action Consent Order between the Naval Submarine Base (NSB) Kings Bay, Georgia and the Georgia Environmental Protection Division (EPD) concerning the remediation of contaminated groundwater at the Old Camden County Landfill.

The proposed Corrective Action Consent Order provides for implementation of the Interim Measure Work Plan and Corrective Action Plan, pending their approval by EPD. Agreements of this type provide a mechanism by which corrective action may proceed at a faster pace than that allowed under the permitting process. As agreed during the August 12, 1993 meeting between NSB and EPD, it is in the best interests of both parties to proceed with the remediation as expeditiously as possible in order to safeguard human health and the environment.

The Environmental Protection Division commends the Naval Submarine Base for its proactive stance in moving quickly to begin remediation efforts at the Old Camden County Landfill. Please sign the enclosed order within ten (10) days of receipt of this letter and return it to this office. Upon execution, you will receive a copy of the agreement for your files.

We look forward to working with you on this remediation effort. If you have any questions or need further assistance, please contact Madeleine Kellam or Bruce Khaleghi at (404) 656-2833.

Sincerely,



Harold F. Reheis  
Director

Enclosure  
File: NSB-Kings Bay (R)  
cc: Jeff Pallas

IN RE: Naval Submarine Base  
Kings Bay, Georgia 31547-5000  
**RESPONDENT**

#  
# Order No. EPD-HW-  
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**WHEREAS**, the Naval Submarine Base (hereinafter referred to as "Respondent") presently operates a facility at Kings Bay, Georgia (hereinafter referred to as "Facility") which is subject to the provisions of the Georgia Hazardous Waste Management Act, O.C.G.A. Section 12-8-60, et seq., as amended, (hereinafter referred to as the "Act") and Chapter 391-3-11 of the Georgia Rules for Hazardous Waste Management promulgated pursuant thereto (hereinafter referred to as the "Rules"); and

**WHEREAS**, the Respondent was issued a Hazardous Waste Storage Permit No. HW-014(S)(2) on September 29, 1989, which contained a schedule for investigation of Solid Waste Management Units identified at the Facility; and

**WHEREAS**, these investigations have determined that the Respondent's Facility has impacted the shallow groundwater both on and off the Facility's property; and

**WHEREAS**, the Respondent is required to submit a modification to Hazardous Waste Facility Permit No. HW-014(S)(2) to remediate any and all releases from Solid Waste Management Units regardless of when these units were closed or when these units last managed waste; and

**WHEREAS**, the Respondent has expressed a desire to initiate interim corrective measures to halt the migration of contaminated groundwater as expeditiously as practical; and

**WHEREAS**, the Environmental Protection Division (hereinafter referred to as "EPD")

agrees that the Respondent needs to implement corrective measures as soon as possible to prevent further migration of contaminated groundwater; and

**WHEREAS**, the Respondent has submitted an Interim Measure Work Plan and a Corrective Action Plan (hereinafter collectively referred to as the "Plan") which can be implemented before the Hazardous Waste Permit can be modified to reflect the final and complete corrective action for groundwater impacted by the Solid Waste Management activities at the Facility; and

**WHEREAS**, both the Respondent and EPD wish to cooperate fully in implementing and completing corrective measures to remediate groundwater impacted by the Facility as expeditiously as possible;

**NOW THEREFORE**, before the taking of any testimony and without adjudicating the merits of the parties' positions in this matter, the parties hereby resolve by agreement and upon the Order of the Director of EPD and the Consent of the Respondent as follows:

1. Within fifteen (15) days of approval by EPD, the Respondent shall implement the Plan according to the schedule and specifications contained therein;
2. All plans, reports, and schedules required by the terms of this Consent Order are, upon approval by EPD, incorporated into this Consent Order;
3. Upon completion of field installation of components of the Plan, the Respondent shall submit a statement signed by the Respondent and an independent registered professional engineer certifying that the field installation was accomplished in accordance with good engineering practice and as specified in the Plan;
4. Once it has been determined by means of the pilot-scale operation and testing phase that the corrective measure is effective, the Respondent shall submit to EPD within sixty (60) days an application to modify Permit No. HW-014(S)(2) to do corrective action at the old Camden County Landfill. This application shall include, but not be limited to, all information gathered to support the chosen corrective action, a description of the corrective action including any interim measures already taken, a schedule for installing elements of the Corrective Action Plan, including a schedule and performance-based criteria for evaluating the chosen corrective action through ultimate remediation, and any maps, graphs, drawings, calculations and narrative to support the chosen corrective action. The

modified permit application shall be available for public review and comment for forty-five (45) days as required in the Rules;

5. If the Respondent or EPD becomes aware of any information during field activities which necessitate changes in the approved Plan, representatives of EPD and the Respondent may confer in person or by telephone in an attempt to resolve any changes. If agreement is reached, the resolution shall be written and signed by representatives of each party. If agreement cannot be reached, the Respondent shall modify the Plan as required by EPD or appeal such decision as provided by law;
6. The Respondent may be required to take further action as necessary to achieve compliance with the Georgia Hazardous Waste Management Act or other applicable State or Federal Laws.

This Consent Order does not constitute a finding or adjudication of a violation of any State or Federal law, rule or regulation by the Respondent nor does the Respondent through agreement to this Consent Order admit any violations of State or Federal law, rule or regulation, or any liability to any third party or parties.

By agreement of the parties, this Order shall be considered final and effective immediately and shall not be appealable, and the Respondent does hereby waive any hearing on the terms and conditions of the same.

It is so **ORDERED, CONSENTED, and AGREED** to this \_\_\_\_ day of \_\_\_\_\_, 1993.

ENVIRONMENTAL PROTECTION DIVISION

By: \_\_\_\_\_  
Harold F. Reheis  
Director

NAVAL SUBMARINE BASE

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_